

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Transport Department – Inter-State Transport Reciprocal Agreement between the Government of Andhra Pradesh and Chhattisgarh under Section 88(6) of the Motor Vehicles Act, 1988- Notification – orders – Issued

TRANSPORT, ROADS AND BUILDINGS (TR.I) DEPARTMENT

G.O.Ms.No.112

Dated: 05.12.2012

Read the following:

1. G.O.Rt.No.262, Transport, Roads & Buildings (Tr.I) Department
Dated 03.4.2004
2. G.O.Rt.No.416, Transport, Roads & Buildings (Tr.I) Department
Dated 18.4.2006
3. From Transport Commissioner, A.P., Hyderabad, Letter No.801/B1/
2003, Dated 20.09.2012.

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ORDER:

In the circumstances reported by the Transport Commissioner, Hyderabad in his letter third read above, the Government after careful examination of the matter have decided to enter into the Inter-State Transport Reciprocal Agreement with the Government of Chhattisgarh. Accordingly, the following Notification will be published in an Extraordinary issue of the Andhra Pradesh Gazette, dated: 07.12.2012.

NOTIFICATION

Whereas, it is proposed to enter into an agreement between the States of Andhra Pradesh and Chhattisgarh in respect of Inter-State routes for operation of stage carriages, motor cabs, goods carriages and educational institutions buses.

And whereas, in super-session of the preliminary notification published vide G.O.Rt.No. 262, TR&B (Tr.I) Department dated 3.4.2004, a revised draft Inter-State Reciprocal Transport Agreement was published vide G.O.Rt. No. 416, Transport, Roads & Buildings (Tr.I) Department, dated 18.4.2006 for general information of all those who are likely to be affected as required under sub-section (5) of Section-88 of the Motor Vehicles Act, 1988.

And whereas, representations/suggestions received in the said draft Inter-State Reciprocal Transport Agreement were heard on 9.7.2012 and considered by the Government.

Now, therefore in exercise of the powers conferred by Sub-Section (6) of Section-88 of the Motor Vehicles Act, 1988 (Central Act, 59 of 1988), the Government of Andhra Pradesh hereby publish the concluded Agreement arrived at between the States of Andhra Pradesh and Chhattisgarh.

AGREEMENT

Whereas, it is decided to control and regulate the plying of vehicles on Inter-State routes between the States of Andhra Pradesh and Chhattisgarh. It is hereby agreed to publish agreement on the following terms and conditions entered into the States of Andhra Pradesh and Chhattisgarh.

The Agreement shall come into force with effect from the date of Notification published in the Gazette.

Contd.,2.

1. Operation of Stage Carriages:

- (a) Inter-State routes for the stage carriages shall mean the routes as agreed upon in any particular case or cases.
- (b) The stage carriages with number of trips and number of vehicles under the operation shall be as per Annexure "A".
- (c) The stage carriage vehicles registered in the State of Chhattisgarh and are operating under this agreement in the State of Andhra Pradesh shall be liable to pay the tax leviable under Chhattisgarh Motoryan Karadhan Adhinyam, 1991 for the entire route.

The stage carriage vehicles registered in the State of Andhra Pradesh and are operating under this agreement in the State of Chhattisgarh shall be liable to pay the motor vehicle tax leviable under Andhra Pradesh Motor Vehicles Taxation Act, 1963 for the entire route.

- (d) The fares and freight chargeable by the operations in the reciprocating State shall not be less than those charged by the operators of that State for similar services. The tickets issued by one State shall be deemed to be valid in the reciprocating State.
- (e) Till the substantive permits on the routes mentioned in the Annexure-"A" are granted by the Transport Authorities in the Reciprocating State, temporary permits to the nominees of the respective States shall be issued and countersigned by the Transport Authorities.

Temporary permits issued during the pendency of renewal of substantive permits under Section 87(l)(d) of the Motor Vehicles Act, 1988 and countersigned by the Transport Authorities of the reciprocating State shall be liable to pay the tax as applicable to the substantive permits as defined in clause © above.

- (f) The Transport Authority of the reciprocating States may accord general concurrence under Section 88(7) of the said Act for issue of temporary permits as and when required.
- (g) The stage carriage shall not be allowed to ply on Inter-State routes, if, it is more than (10) years of age from the date of its initial registration.
- (h) If any discrepancy is found in the distances of the routes shown in the Annexure "A", appended to this agreement, the same shall be corrected through correspondence between the States and it shall not be treated as modification in the agreement.
- (i) No standing passengers shall be permitted in the Express stage carriages of both the States.
- (j) Countersigning authority shall be permitted to make necessary changes, if required, in the timetable issued by the permit granting authority within its own jurisdiction.

2. Operation of Motor Cabs of Substantive Permits:

To operate Motor cabs with seating capacity upto 6+1 in all in the reciprocating State without paying tax in the reciprocating State provided they have a valid permit in the permit granting State.

3. Goods Carriage operation on Substantive Permits:

- (a) The goods carriage permits of each State shall be countersigned by the Transport Authority of the other State in accordance with the provisions of sub-section (5) of Section-88 of the said Act without any restriction on the number of such permits.
- (b) The countersignature shall be granted for plying in the vehicles on all National and State highways with a deviation upto 30.0 kilometres except the routes prohibited in accordance with Section-115 of the said Act. For this purpose both States will exchange list of prohibited routes in each State from time to time.
- (c) The vehicle shall not on their return journey pick-up any goods between any two points lying exclusively within the territory of the reciprocating State for setting down such goods at any place or route in the State.

Provided that on the forward journey there shall be no restriction on setting down goods anywhere in the reciprocating State but no goods shall be picked up in that State.

- (d) The bilateral tax will be on single point taxation basis on annual basis at an equal rate agreed upon by the two States.
- (e) The countersignature granted shall be valid for the duration of the period for which all taxes due to the reciprocating State have been paid in advance.
- (f) If the countersignature holders fail to pay tax as indicated in sub-section (d) within two months from the date of expiry of the period for which the tax was last paid the countersignature shall be deemed to be cancelled under intimation to original permit granting authority.
- (g) No refund of tax paid in advance shall be permitted on account of dormancy of the permit or non-use of vehicle on any ground.
- (h) No countersignature on the permit shall be granted to a goods carriage which is 12 years old or more from the date of initial registration.

4. Operation of Educational Institutional Buses:

To permit the Educational Institutional Buses to operate in the State for Educational purpose on reciprocal basis without insisting tax by the reciprocating State.

5. General

- (1) The reciprocating State shall accord recognition to tax payments and conductor licenses of motor vehicles plying on the Inter-State routes in accordance with this agreement.
- (2) The vehicles owned by the Government of Reciprocating State used for non-commercial purpose shall be totally exempted from payment of motor vehicles tax.

- (3) The countersignature granted by this agreement shall be subject to the condition that it shall be valid only for the duration of the period for which all taxes due to the reciprocating State have been paid.
- (4) The stage carriage shall be permitted to divert their services on Inter-State routes specified in the agreement in case of construction of new road subject to the approval of concerned State Transport Authority.
- (5) This agreement shall remain in force until it is reviewed and a new agreement comes into force or until it is rescinded or modified by mutual consent on three months notice by either side.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D. LAKSHMI PARTHASARATHY
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner, Printing, A.P., Hyderabad (With a request to publish the notification in the Extra-Ordinary issue of A.P. Gazette dated: 07/12/2012 and furnish 150 copies to Government)

The Transport Commissioner, Andhra Pradesh, Hyderabad

The D.G.P., A.P., Hyderabad

The Vice Chairman & Managing Director, APSRTC, Hyderabad

The Director, Information & Public Relations, A.P., Hyderabad (With a request to publish in one of the News Papers in the Regional language)

The Secretary to Government of India, Ministry of Road Transport (MRT&H) and Highways, New Delhi.

Copy to:

The P.S to Minister for Transport, A.P., Hyderabad

The P.S to State ministry for Transport, Government of Chattisgarh

The Special Secretary to Government, Transport Department, Mantralaya D.K.S., Bhavan, Raipur, Chattisgarh

The Transport Commissioner, Government of Chattisgarh, Mantralaya, DKS Bhavan, Raipur

The Law (E) Department

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE-A

AGREEMENT TO BE ENTERED INTO BETWEEN THE GOVTS. OF AP &
CHATTISGARH

Sl. No.	Route with Route Course	Route length			Single Trips		Total Kms.	Total Kms.
		AP	CHS	Total	AP	CHS	By AP in CHS	By AP in CHS
1	Jagdalapur to Hyderabad (Via) Bhadrachalam	382	184	566	2	2	368	764
2	Bailadilla to Hyderabad (Via) Sukuma and Bhadrachalam	382	250	632	4	2	1000	764
3	Jagadalpur to Vijayawada (Via) Bhadrachalam	251	185	436	2	2	370	502
4	Jagadalpur to Rajahmundry (Via) Sukuma, Kunta, Chintoor, Gokavaram	159	185	344	2	2	370	318
5	Visakhapatnam to Bailadilla (Via) Jagadalpur	134	138	427	2	2	276	268
		Orissa	155					
6	Bailadilla to Vijayawada (Via) Dantewada, Gadirash, Sukuma	251	201	452	2	2	402	502
7	Bailadilla to Rajahmundry (Via) Dantewada, Gadirash, Sukuma	159	201	360	2	2	402	318
8	Bhadrachalam to Maddedu (Via) Bhopalapatnam	160	55	215	4	2	220	320
9	Bhadrachalam to Dantewada (Via) Chintoor, Kunta, Sukuma	75	151	226	4	2	604	150
10	Khammam to Malkangiri (Via) Kunta and Sukuma	195	85	320	2	2	170	390
		Orissa	40					
11	Hyderabad to Raipur (Via) Adilabad, Nagpur, Bhandara and Durg	347	137	747	2	2	274	694
		Mah	263					
	GRAND TOTAL						4456	4990
	Total Kms. in favour of CHS						534	

// FORWARDED BY ORDER //

SECTION OFFICER